

VILLAGE COUNCIL WORKSHOP OF NOVEMBER 23, 2015

The Village of Estero Council Workshop was held on this date at the Estero Fire Rescue District Meeting Room, 21500 Three Oaks Parkway, Estero, Florida.

Present: Mayor Nick Batos - District 6, Vice Mayor Howard Levitan - District 2, Councilmember Donald Brown - District 3, Councilmember Katy Errington - District 4, Councilmember Jim Boesch - District 5, and Councilmember Jim Wilson - District 7.

Absent: Councilmember Bill Ribble - District 1 (excused absence).

Also present: Village Manager Steve Sarkozy, Village Attorney Burt Saunders, and Administrative Assistant Tobi Tirado.

1. CALL TO ORDER

Mayor Batos called the meeting to order at 10:00 a.m.

2. PLEDGE OF ALLEGIANCE

Mayor Batos led the Pledge of Allegiance.

3. ROLL CALL

Administrative Assistant Tobi Tirado called the roll; all members were present, with the exception of Councilmember Ribble (excused absence).

4. APPROVAL OF AGENDA

Mayor Batos moved approval of the agenda, seconded by Councilmember Boesch, called and carried unanimously, with Councilmember Ribble absent.

5. COUNCIL BUSINESS

(A) Presentation: Representative Ray Rodrigues – Proposed Legislation Regarding Fracking

Representative Ray Rodrigues addressed fracking and how it came into legislation in Texas and other states; the pros and cons of fracking; and how with the proper Legislation it could be done with the least amount of damage to the environment. He explained that the current Bill allowed companies to claim to be performing normal drilling and then move over to fracking once the permit had been obtained. He further explained that the new Bill would require a company to be permitted for fracking and permits could be denied due to a company's background. Representative Rodrigues noted that a scientific study was needed in Florida.

Council discussion and questions followed including permitting process; timeframe; past history on mineral rights; protecting communities; Representative Rodrigues' interest in pursuing something that so many people were against; chemicals in the wells; access to the fracking DEP database; wastewater disposal; drinking water becoming affected; the DRGR being one of the most important assets; water source; funds for chemical disclosure; bonding; preemption; and preventing the same actions as what occurred at the Dan Hughes well in Collier County.

Public Comment:

Caitlin Weber, Conservancy of Southwest Florida, discussed the complications regarding the Hogan well in Collier County. Council discussion followed related to damage due to low pressure hydraulic fracturing; waste water trucked to Miami; and all well stimulation should be covered in the Bill.

Holley Rauhen, Hapheatchee Center, discussed protecting the waters of Estero.

Dona Knapp, Pine Ridge, Naples resident, addressed concern regarding availability of water for the growing population; and the creation of sink holes as a result of fracking.

Patty Whitehead, Old Estero resident, addressed concern regarding the Bill not protecting the environment.

Ruth McGregor, Sierra Club Calusa Group, asked that Council be aware of what fracking could do to a community, and noted that Home Rule and fracking contradicted each other.

David Welch, Bonita Springs resident, discussed what he experienced as an employee of a fracking business and what happened to the communities.

Ray Judah, Florida Coastal & Ocean Coalition, discussed the damages to the environment as a result of fracking.

Jaime Duran, Naples resident, commented on banning fracking.

JoAnn Luce, Cascades at Estero resident, addressed concerns regarding fracking.

Peter Cangialosi, The Preserve resident, commented on the DEP and their agenda to look out for the contractor not the environment.

Pamela Duran, Naples resident, addressed concern regarding what would happen to Florida if fracking continued.

Dr. Karen Dwyer, Naples resident, addressed banning oil well stimulation in Estero and observing Home Rule.

Jennifer Hecker, Conservancy of Southwest Florida, stated that fracking was a very real threat and that the Bill should cover everything. Vice Mayor Levitan inquired as to Ms. Hecker's knowledge of state law, the State Legislature and whether Estero could be pre-empted regardless of Estero banning fracking. In response to an inquiry whether the conservancy would provide Council advice, Ms. Hecker responded affirmatively.

Dr. John Dwyer, Stone Crab Alliance Delasol, discussed environmental damage if fracking was allowed.

Beverly MacNellis, Marsh Landing resident, expressed concern regarding the fracking Bill.

Ralf Brookes, Attorney, Conservancy of Southwest Florida, addressed concern regarding preserving our paradise and that fracking should be banned.

Noah Kugler, H2O GeoSolutions, a State licensed geologist with 10 years water experience, discussed several studies that indicated oil beneath Estero.

Charles Messina, St. James City resident, encouraged the Council to say no to fracking.

Philip Douglas, Lighthouse Bay at the Brooks resident, discussed damages due to fracking.

8. PUBLIC INPUT ON NON-AGENDA ITEMS

None.

9. COUNCIL COMMUNICATIONS / FUTURE AGENDA ITEMS

It was noted that discussion would continue at the December 2, 2015 meeting and that a resolution would be ready for publishing tomorrow, November 24, 2015.

10. VILLAGE MANAGER'S COMMENTS

None.

11. VILLAGE ATTORNEY'S COMMENTS

Village Attorney Burt Saunders spoke briefly regarding an upcoming resolution related to a Charter change.

12. ADJOURN

Councilmember Errington moved to adjourn, seconded by Councilmember Wilson, called and carried unanimously, with Councilmember Ribble absent.

Mayor Batos adjourned the meeting at 12:19 p.m.

ATTEST:

By: Kathy Hall

Kathy Hall, MMC
Village Clerk

VILLAGE OF ESTERO, FLORIDA

By: Nicholas Batos

Nicholas Batos
Mayor

Minutes approved as submitted: January 6, 2016